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SENATE BILL 528

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO TAXATION; INCREASING THE RATE OF THE CIGARETTE TAX;
MODIFYING DISTRIBUTIONS OF CIGARETTE TAX REVENUE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-1-6.11 NMSA 1978 (being Laws 1983,
Chapter 211, Section 16, as amended) is amended to read:

"7-1-6.11. DISTRIBUTIONS OF CIGARETTE TAXES. --

A. A distribution pursuant to Section 7-1-6.1 NMSA
1978 shall be made to the county and municipality recreational
fund in an amount equal to [~~four and three-quarters~~] one and
forty-seven hundredths percent of the net receipts, exclusive
of penalties and interest, attributable to the cigarette tax.

B. A distribution pursuant to Section 7-1-6.1 NMSA
1978 shall be made to the county and municipal cigarette tax
fund in an amount equal to [~~nine and one-half~~] two and ninety-

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1 five hundredths percent of the net receipts, exclusive of
2 penalties and interest, attributable to the cigarette tax.

3 C. A distribution pursuant to Section 7-1-6.1 NMSA
4 1978 shall be made to the cancer research and treatment center
5 at the university of New Mexico [~~school of medicine~~] health
6 sciences center in an amount equal to [~~four and three-quarters~~]
7 ten and sixty-six hundredths percent of the net receipts,
8 exclusive of penalties and interest, attributable to the
9 cigarette tax; provided that twenty-one and one-half percent of
10 the distribution pursuant to this subsection shall be used for
11 genomic research.

12 D. A distribution pursuant to Section 7-1-6.1 NMSA
13 1978 shall be made to the New Mexico finance authority in an
14 amount equal to [~~seven and one-eighth~~] nine and one-tenth
15 percent of the net receipts, exclusive of penalties and
16 interest, attributable to the cigarette tax; provided that
17 seventy-five and seven-tenths percent of the distribution
18 pursuant to this subsection shall be used for expansion of the
19 university of New Mexico hospital. "

20 Section 2. Section 7-12-3 NMSA 1978 (being Laws 1971,
21 Chapter 77, Section 3, as amended) is amended to read:

22 "7-12-3. EXCISE TAX ON CIGARETTES--RATES. --

23 A. For the privilege of selling, giving or
24 consuming cigarettes in New Mexico, there is levied an excise
25 tax at the rate of [~~one and five hundredths cents (\$.0105)]~~

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1 four and five hundredths cents (\$.0405) for each cigarette
2 sold, given or consumed in this state.

3 B. The tax imposed by this section shall be
4 referred to as the "cigarette tax". "

5 Section 3. EFFECTIVE DATE. --

6 A. The effective date of the provisions of Section
7 2 of this act is July 1, 2003.

8 B. The effective date of the provisions of Section
9 1 of this act is August 1, 2003.

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